

STATE OF MISSISSIPPI

COUNTY OF JONES

AFFIDAVIT

Personally appeared before me the undersigned authority, in and for said county and state, James "Jim" Stone, who after being duly sworn states on oath as follows:

1. I, James "Jim" Stone, am of the age of majority and competent to testify about the matters stated herein and make this affidavit having full personal knowledge of the facts contained herein.

2. I am currently employed by Jones County as the Warden of the Jones County Jail ("JCJ"). I was employed in this capacity during David Williams' incarceration at JCJ.

3. Attached hereto is a copy of the grievance policies and procedures, which outlines the procedures for submitting inmate grievances, which were in place at the time of Mr. Williams' incarceration. *Policies and Procedures*, attached as **Exhibit A**. Inmates are required to submit an informal grievance verbally and then a formal grievance in writing.

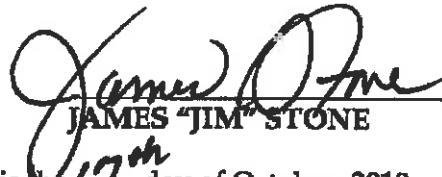
4. I have personally conducted a search of Mr. Williams' inmate file and found no formal written grievance forms and five (5) request forms. There were no grievances regarding Plaintiff's medical care. Plaintiff has failed to exhaust his administrative remedies as to any lack of medical care claims.

5. As part of my job duties, I am charged with keeping and maintaining the records of the inmates housed at JCJ. I can attest that the attached records were:



- a. Made at or near the time of the occurrence of the matters set forth therein by, or from information transmitted by, a person with knowledge of these matters;
- b. Kept in the course of regular conducted activity; and
- c. Created as part of the ordinary course of business.

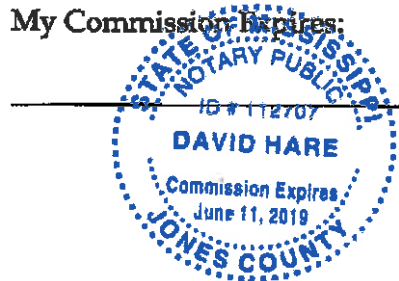
Further the affiant sayeth not.


JAMES "JIM" STONE

Sworn and subscribed before me this the 17th day of October, 2018.


NOTARY PUBLIC

My Commission Expires:



**Jones County Sheriff's Department
Jail and Detention
Policies and Procedures**

Subject: Grievance Procedures	Policy Number: 12.10
Issue Date:	Revision Date:
Approval Authority Title and Signature:	

POLICY:

In support of orderly and safe inmate housing conditions, the Jones County Sheriff's Department maintains an inmate grievances system consistent with due process.

PENOLOGICAL INTEREST:

This facility provides a grievance procedure for inmates out of an interest to support inmate rights to due process and in order to operate a reasonable safe, secure, and well disciplined environment, for inmates and staff.

DEFINITION:

- **Grievance** - A formal or verbal statement of complaint, generally against an authority figure in the jail or against an operational aspect of the detention facility as a whole.

PROCEDURES:

Acts which constitute usual grounds for initiation of a reasonable grievance by an inmate include, but are not limited to:

1. Violation of civil rights;
2. Criminal acts;
3. Unjust denial or restriction of inmate privileges;
4. Confinement issues, such as adequate food, clothing, or access to inmate services; &
5. Prohibited acts by facility staff.

Grievance Procedure:

Grievance procedures established by the Jones County Jail consists of the following steps or options. These steps include:

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Jail and Detention Policies and Procedures, 12.10 Grievances Procedures

1. An inmate may file an *informal grievance* by discussing the specific problem with a staff member. Normally these informal grievances are filed verbally with staff having contact with the inmate during routine supervision. Where and when possible, staff receiving the grievance may address the complained of condition directly. Emergency grievances, in which delay in handling could result in personal injury or other damages to the inmate, will be handled expeditiously. Staff are encouraged to use their own initiative to resolve issues that are within their authority. If not resolved at the officer level, the grievance will be passed to the Shift Supervisor for action or subsequent referral.
2. Facilities with a capacity of fifty [50] inmates or less may assign one [1] officer to handle formal grievances. Larger facilities should select a grievance board.
3. If the problem cannot be resolved through informal discussions or the inmate wishes to document the grievance for additional consideration, he may submit a written grievance to the grievance officer/board.
4. Formal grievances are filed in writing and an inmate may ask for assistance from officers or other inmates in writing out the grievance on the specified form. Grievance forms and writing materials will be made available to inmates upon request. A problem that results from a specific event or action must be presented on the approved form within seven [7] days of the occurrence. Formal grievances will be accepted in a grievance drop box. On a daily basis, officers conduct rounds throughout the facility giving inmates the opportunity to drop written grievances in the box. The grievance drop box will then be sent directly to the Jail Administrator who will review the filed grievances and forward the same to the grievance officer/board. The grievance must:
 - a. Be in writing;
 - b. Clearly define the situation in question and the facts upon which it is based;
 - c. Specify the wrongful act or situation and describe the harm done;
 - d. Arise out of an act or failure to act by the Jones County Jail;
 - e. Address a matter within the control of the facility;
 - f. Request a remedy that is within the power of the facility to grant;
 - g. Be submitted within seven [7] days of the occurrence;
 - h. Include a copy of any written supporting documents or pertinent discussion, decision, and justification; &
 - i. Specify a requested remedy.
5. The decision of the grievance officer/board will be presented to the inmate in writing, no later than fifteen [15] days after the grievance is received. The grievance officer/board will provide for meaningful relief of a substantiated grievance [i.e., reinstatement of good time, additional visitation privileges]. In order to prevent reprisals against an inmate, disciplinary action may be taken against any staff member who retaliates or attempts to retaliate against an inmate filing a grievance.
6. Inmates may be disciplined for filing frivolous or repeated grievances that consistently have little or no merit.

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Jail and Detention Policies and Procedures, 12.10 Grievances Procedures

7. Appeal of a grievance officer's/board's decision is made to the Jail Administrator on the same grievance form or format. The Jail Administrator has fifteen [15] days from the date the grievance is received to respond, and the decision of the Jail Administrator is final.
8. The facility will maintain records of all grievances filed by an inmate for at least five years after the inmate has left or been released from the facility. Grievance information regarding inmates and employees will be kept strictly confidential. In no case will information be released without the specific approval of the Sheriff or designee.

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Jones County Adult Detention Facility

INMATE GRIEVANCE FORM

While in this facility, you are provided the opportunity to submit formal grievances to the Jail Administration. However, all grievances must:

1. Arise out of an act or failure to act by Jones County Adult Detention Facility officials or deal specifically with a condition of confinement;
2. Be submitted within seven (7) days of filing an informal, word of mouth grievance with a guard.
3. Address a matter within the reasonable control of the facility; and
4. Request a remedy that is within the power of the facility to grant.

After careful completion of this form, please solicit the complaint to a correctional officer for review by the Jail Administrator or designee. Under normal circumstances, the Jail Administrator will provide you with a written response within seven (7) days of receipt.

Inmate Name: _____ Inmate Number: _____

Date: _____

Please define the situation in question, including all relevant facts and witnesses: _____

Specify the harm done by the wrongful act or situation: _____

Specify the specific relief or action sought to remedy the problem: _____

Names of witnesses or other affected inmates: _____

Inmate Signature: _____

*****DO NOT WRITE BELOW THIS POINT*****

Response: _____
